

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 4:10CR3110
v.)
HERMAN PACHECO,) MEMORANDUM AND
Defendant.)

The defendant has moved to continue the trial currently set for March 7, 2011. (Filing No. 24). Defense counsel states additional time is needed for plea negotiations. Based on the showing set forth in the defendant's motion, the court finds the motion to continue should be granted.

IT IS ORDERED:

- 1) The defendant's unopposed motion to continue, (filing no. 24), is granted.
- 2) The trial of this case is set to commence before the Honorable Richard G. Kopf at 9:00 a.m. on March 28, 2011, or as soon thereafter as the case may be called, for a duration of five (5) trial days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. Jury selection will be held at commencement of trial.
- 3) Based on the showing set forth in the defendant's motion, the Court further finds that the ends of justice served by continuing the trial outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and March 28, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

DATED this 22nd day of February, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge